



Attorney's Docket No.: 10559-177001 / P8237

AF/2194  
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kalpesh Mehta                      Art Unit: 2194  
Serial No.: 09/771,374                      Examiner: Li Zhen  
Filed: January 26, 2001  
Title: APPORTIONING A SHARED COMPUTER RESOURCE

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.31 and M.P.E.P. § 1207.04,  
Applicant hereby initiates an appeal to the Board of Patent  
Appeals and Interferences from the action dated September 16,  
2005. Insofar as this action rejected claims 4, 5, 9, 10, and  
14-20, at least one of these claims has been twice rejected and  
the application is therefore ripe for appeal.

The action dated September 16, 2005 reopened prosecution  
after Applicants' appeal, notice of which was filed on April 19,  
2005 and a brief in which was filed June 20, 2005. Pursuant to  
M.P.E.P. § 1207.04, since the appeal fee and appeal brief fee

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 15, 2005

Date of Deposit

Julie H. Giordano  
Signature

Julie H. Giordano  
Typed or Printed Name of Person Signing  
Certificate

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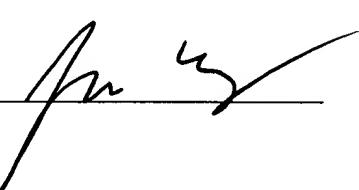
were paid at that time and have not, in the meantime, increased, Applicant believes that no fees are due at this time. However, the Commissioner is hereby authorized to apply the appeal fee, the appeal brief fee, and/or any deficiencies therewith or with any other fees or charges to Deposit Account No. 06-1050.

Respectfully submitted,

BY

**JOHN F. CONROY**  
**REG. NO. 45,485**

Date: December 15, 2005

  
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